

Aamodt Settlement

January 15, 2009

Overview

- **Case filed in 1966.**
- **Settlement discussions:**
 - ▶ began in 2001.
 - ▶ Initial settlement proposed 2004.
 - ▶ 2004 PBWUA began participating.
- **Settlement Agreement - May 3, 2006.**
 - ▶ resolves claims of the four Aamodt Pueblos and provides protections for non-Pueblo water users.
 - ▶ calls for regional water system.

Litigation vs. Settlement

- **Litigation claims exceed water supply**
 - ▶ even exercise of HIA rights would threaten senior Acequia diversions.
 - ▶ litigation would challenge groundwater depletions.
- **Settlement**
 - ▶ seeks to protect status quo.
 - ▶ make pie bigger with imported supply.
 - ▶ creature of compromise.

Pueblo Agreements

- Give up large federal claims.
- Additional water will come from Rio Grande and not from the Pojoaque Basin.
 - ▶ Pojoaque golf course water will come from Rio Grande or re-use.
- Will not assert priority calls against existing irrigation
 - ▶ Pueblo forbearance for more than half of HIA.
- Will not assert priority calls against existing domestic wells (up to agreed limits).

What do the Pueblos get?

- 2,400 acre-feet of water rights purchased by the federal government.
- A water system to divert, treat and deliver water to the Pueblos.
- Settlement funds from the federal government to help pay for operations and maintenance.

Additional concern: future groundwater use

- Depletions of surface flows.
- Effect on senior surface irrigation, both Pueblo and Acequia.
- 3,000 domestic wells.

Why will Non-Pueblo residents be offered service?

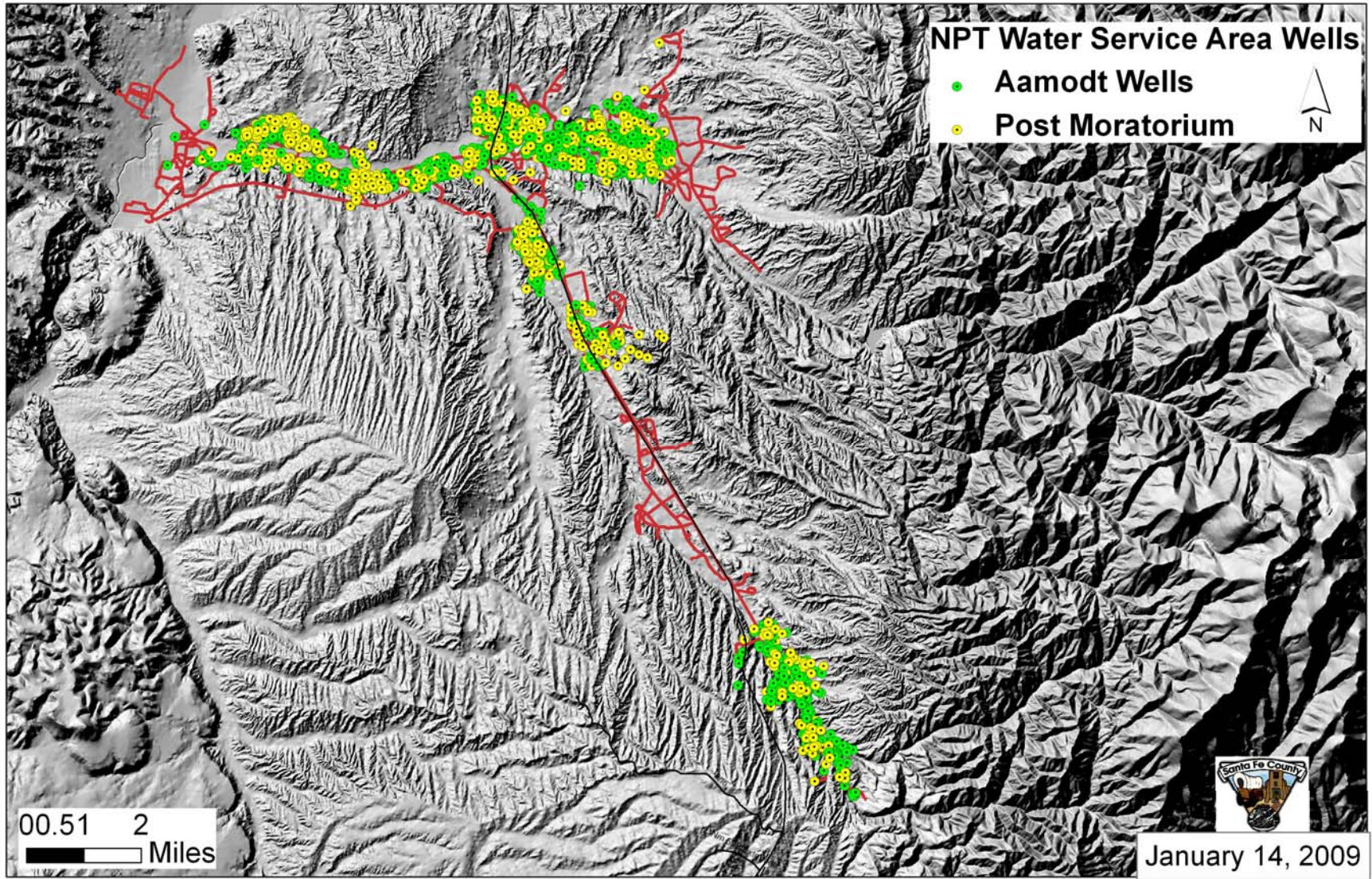
- Protection of senior surface rights.
 - ▶ Important to Pueblos that system also serve non-Pueblo customers.
- New users will be required to hook-up within service area.
- Incentives for existing users to hook-up, but no requirement.

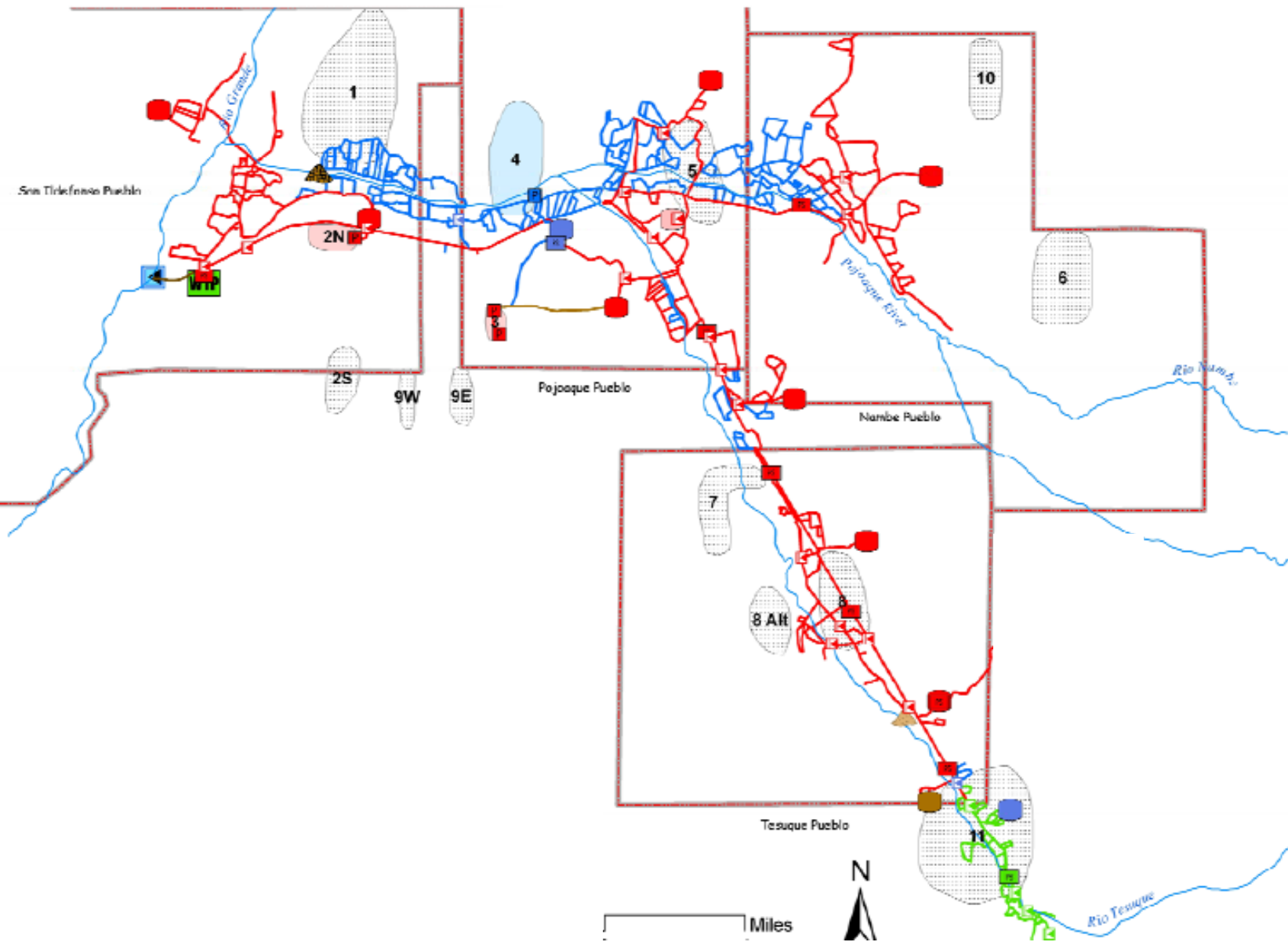
Why is the County involved?

- Help resolve 40 years of litigation.
- Service should not be limited.
 - ▶ 600 acre-feet for future demand.
- Can piggy back on federal project.
- State financial contribution.
- Future water quality concerns.
- Fire protection.

Legislation

- Senate Bill 22 – Omnibus Public Land Management Act of 2009.
 - ▶ Reclamation Water Settlements Fund: \$250M for Aamodt and Taos settlements.
- Settlement Legislation: re-introduction in coming weeks
 - ▶ Authorizes U.S. to sign Agreement.
 - ▶ Authorizes appropriations.





Comments and Questions

- Contact information:
Doug Sayre
dsayre@co.santa-fe.nm.us
(505) 992-9872